IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 8390 OF 2005

Rajendrakumar Kishanlal Agarwal ...Petitioner.

V/s

The State of Maharashtra
and anr. ....Respondents.

Mr. M.M. Vashi for the petitioner.
Ms. M.M. Deshmukh for the State.
Mr. E. Khan Spl. P.P. for CBI.

CORAM: V.M. KANADE, J.

DATE: 6th March, 2006

P.C.

1. Heard the learned Counsel for the petitioner and the learned Counsel for the respondents.

2. The petitioner seeks relaxation of condition imposed by the Sessions Court by order dated 4/10/2004 whereby the applicant was directed not to leave India without permission of the Court.

3. In the present case, charge-sheet has been filed. The petitioner is a businessman and is a permanent resident of India. He is a manufacturer and his factory is situated in India. He has permanent assets in India. It is submitted that for his business he has to travel abroad on number of

occasions and that it is difficult to apply to the Court on each and every occasion and seek permission to go abroad.

4. In my view, since the charge-sheet has been filed and, in any case, the applicant has to attend before the Special Judge, this condition can be relaxed. The applicant, however, shall one week before going abroad give his itinerary to the Investigating Officer and shall further undertake to this Court to remain present in the Sessions Court as and when matter is kept for hearing. The applicant shall give his address and other details regarding the places where he intends to visit in the itinerary which is to be given to the respondents. The applicant is present in Court. The applicant to give an undertaking within one week that he shall attend the Sessions Court as and when the matter is kept. With these directions, the application is allowed. Earlier Application No.4104/2003 is also disposed of accordingly.

5. Application is disposed of in the above terms.

V.M. KANADE, J.